

Date: OCT 30 2025

RESOLUTION NO. 28 (2025)

A resolution to reaffirm Part 1, Section 19 of the Charter and Governing Document of the Eastern Band of Cherokee Indians; and Cherokee Code Chapter 117-12

WHEREAS, Charter and Governing Document of the Eastern Band of the Cherokee Indians explicitly describes the powers created and constitutes the legal framework from which law is created and administered; and

WHEREAS, Paragraph 2 of section of 19 of the Charter states, "A tribal census, for the purposes of determining the weight of the votes to be cast by each Tribal Council member, shall be conducted prior to the 1981 tribal election and prior to the election each ten years thereafter to determine the number of enrolled tribal members residing in each township"; and

WHEREAS, Cherokee Code Chapter 117-12 subsection C states, "A Tribal census, for the purpose of determining the weight of the vote to be cast by each Council member, shall be conducted prior to the 1981 Tribal election and prior to the election each ten years thereafter to determine the number of enrolled Tribal members residing in each township. After the regular 1981 Tribal election and each ten years thereafter, the Tribal Council, at its first regular meeting, shall determine the total number of votes to be cast in the Tribal Council and shall allot a voting weight to each Council member. The individual voting weight shall be determined by computing the mathematical ratio, fraction or proportion that exists between the number of enrolled Tribal members residing in each township and the total number of enrolled members"; and

WHEREAS, The last update to the weighted vote in Cherokee Code Chapter 117 was in October 2001 via Resolution 20 (2001); and

WHEREAS, Tribal Council approved Resolution 470 (2022) which authorized an electronic tribal census to be carried out; and

WHEREAS, A tribal census was administered and completed in 2023; and

WHEREAS, To date no official business has been conducted by Tribal Council to fulfill and satisfy the tenets of the Charter and Governing Document and Cherokee Code Chapter 117-12 as result of completing the 2023 census.

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3 NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Eastern Band of Cherokee
4 Indians, in Council assembled at which a quorum is present, that the Tribal Council
5 hereby fulfill its responsibility to provide for accurate and fair representation of the
6 constituents of each community by determining an updated weighted vote for each
7 tribal community with (90) days of the passage of this resolution.
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9 BE IT FINALLY RESOLVED, that all resolutions inconsistent with this resolution are hereby
10 rescinded, that this resolution shall become effective upon ratification by the
11 Principal Chief, and that the Principal Chief be authorized to carry out the intent of
12 this resolution, which shall remain in effect until implemented or rescinded.
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14 *Submitted by:* James Bradley, Wolf Town Community
15 Joey Owle, Wolf Town Community
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